

providing the Department of Justice, DOJ, with resources specifically for that purpose.

With the advent of the Internet, identity theft has grown exponentially in recent years. The Federal Trade Commission, FTC, recently released a survey showing that 27.3 million Americans have been victims of identity theft in the last five years, including 9.9 million people in the last year alone. According to the release, last year's identity theft losses to businesses and financial institutions totaled nearly \$48 billion, with consumer victims reporting \$5 billion in out-of-pocket losses.

While most identity thieves use the information to make purchases, according to the FTC release, 15 percent of victims—almost 1.5 million people in the last year—reported that their personal information was misused in non-financial ways, such as to obtain government documents, for tax fraud, and other non-financial purposes. The most common nonfinancial misuse took place when the thief used the victim's name and identifying information upon routine stops by law enforcement officials, or while attempting or committing a crime. Identity theft prevention and detection can assist in preventing terrorism, as well.

The Identity Theft Investigation and Prosecution Act would provide 100 million dollars to the Department of Justice, DOJ, for dedicated enforcement of the laws against identity theft and credit card fraud. While states can enforce similar state laws, today's interstate travel, Internet and technology realities make it difficult and cumbersome for state prosecutors to effectively address national and international identity theft and credit card fraud scams.

We already have sufficient laws to address identity theft. It is a serious crime to use someone else's identity and credit to steal money, goods, services or to use the information to perpetuate other frauds. The problem is that there are not sufficient dedicated resources where they are most needed to have a significant immediate impact on the matter. We have developed the "Identity Theft Investigation and Prosecution Act of 2003" to do just that.

Much effort is underway to prevent and limit identity theft and fraud through consumer education, consumer hotlines, public service announcements, more sophisticated identity theft detection and cutoff mechanisms, law enforcement and consumer advocacy training, etc. Yet, it is not enough to effectively address the problem. Although credit card companies wipe out most credit card fraud debts for the victims, the thieves are rarely pursued or prosecuted. The DOJ devotes some resources and enforcement toward identity theft, but it is not a high priority in its law enforcement scheme to pursue enough cases to have an impact. Identity thieves know they can pursue their crimes with a high degree of impunity. This bill would enable the DOJ to establish a large, national enforcement program to go after identity theft and abuse.

INTRODUCTION OF THE CLEAN AIRWAVES ACT

HON. DOUG OSE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 8, 2003

Mr. OSE. Mr. Speaker, I rise to introduce the Clean Airwaves Act, legislation designed

to prohibit seven profane words from being broadcast over America's airwaves. Existing guidelines and standards that govern our airwaves and communications mediums allow profane language to infiltrate the hearts and minds of our nation's youth. I rise today to protect our children from existing rules and regulations that leave them vulnerable to obscene, indecent, and profane speech through broadcast communication.

The purpose of the Clean Airwaves Act is to amend section 1464 of Title 18 of the United States Code from which the Federal Communications Commission derives its authority to regulate the use of profane language used in broadcast communications. This legislation will help close the loophole on profanity on our public airwaves, leaving our children free from exposure to offensive and crude speech broadcast over America's airwaves.

In *FCC v. Pacifica Foundation*, the U.S. Supreme Court stated, "Among the reasons for specially treating indecent broadcasting is the uniquely pervasive presence that medium of expression occupies in the lives of our people. Broadcasts extend into the privacy of the home and it is impossible to completely avoid those that are patently offensive". Subsequently, public broadcasting is more accessible to children.

The current FCC guidelines regarding indecency determinations aren't strong enough to stop harmful, indecent, and profane language broadcast over America's airwaves. It is wholly necessary to give the FCC the tools it needs in order to protect our broadcast airwaves. Currently under FCC policy, indecency determinations hinge on two factors. First, material must describe or depict sexual or excretory organs or activities. Second, the material must be patently offensive as measured by contemporary community standards for the broadcast medium. The vagueness of this stipulation creates a loophole that inevitably allows specific profane language to be broadcast.

One notorious example of a profane broadcast aired at the Golden Globe Awards program in January of 2003. In this broadcast, performer Bono uttered a phrase that may not be repeated at this time and qualified as indeed profane and indecent by a rational and normal standard. The FCC has in its authority, the power to enforce statutory and regulatory provisions restricting indecency and obscenity. However, in the Golden Globe Awards example, the FCC concluded that the use of the word as an adjective or expletive to emphasize an exclamation did not meet their threshold for indecency. The FCC further stated in the October 3, 2003 Memorandum Opinion and Order that "in similar circumstances, we have found that offensive language used as an insult rather than as a description of sexual or excretory activity or organs is not within the scope of the commission's prohibition of indecent program content." As a result, the use of particular profane language was aired to the public and no action was taken to ensure it would not take place in the future.

Therefore, I reiterate the necessity to act upon this loophole in the U.S. Code to ensure that the public is free from inappropriate communications over public broadcasts and that our airwaves be clean of obscenity, indecency, and profanity.

GOOD NEIGHBOR SETTLEMENT HOUSE

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 8, 2003

Mr. ORTIZ. Mr. Speaker, I rise today to pay tribute to a very special organization in Brownsville, Texas: Good Neighbor Settlement House, a non-profit related to the Global Ministries of the United Methodist Church.

They have been serving the needy people in the Brownsville-South Texas area for 50 years, and I commend them for their longevity in doing the most important work neighbors can do: taking care of each other. December 11 marks their 50th anniversary, and their work will be celebrated in Cameron County.

Just last year, Good Neighbor Settlement House served meals to 57,000 men, women and children in our community. They provided a variety of services to over 100,000 people—including rental assistance, clothing, food, after-school programs, children's summer programs, and referrals to other social service agencies.

In 1953, with the guiding principle "Helping People Help Themselves," Good Neighbor Settlement House launched themselves into the business of their mission: to provide the basic necessities of life such as food, clothing, meals, housing assistance and educational programs to the needy.

Just a few examples of their unique offering to the low-income families in Brownsville: the Mother's Club, a gathering of women who quilt to help supplement their income; family budgeting classes (with American Express) to help families maximize their resources and be self-sufficient; and Las Culturas (with Cameron Works/United Way) offers music and dance classes for young children.

In today's economy, our need for the Good Neighbor Settlement House is every bit as urgent as it was 50 years ago. Because of our government's reductions in social programs to help the needy—in favor of tax cuts to the wealthiest Americans—the less fortunate are facing ever more serious economic hardships.

Today we celebrate both Good Neighbor Settlement House's dedication to the less fortunate on this anniversary . . . and their commitment to the principle of giving people what they need to fend for themselves: if you give a man a fish, you feed him for a day—if you teach a man to fish, you feed him for a lifetime.

I ask my colleagues to join me in celebrating this 50th anniversary of Good Neighbor Settlement House's work in South Texas.

SEC. 115 OF THE ENERGY & WATER APPROPRIATIONS BILL—KING COVE ACCESS PROJECT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 8, 2003

Mr. GEORGE MILLER of California. Mr. Speaker, the Republicans have done it again: a nefarious rider was slipped onto the fiscal year 2004 Energy & Water Appropriations Bill. The Republicans have, once again, shut